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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,308	07/18/2003	Takanori Okada	2003_0995A	2515
513	7590	01/12/2007	EXAMINER	
WENDEROTH, LIND & PONACK, L.L.P.			SMITHERS, MATTHEW	
2033 K STREET N. W.				
SUITE 800			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20006-1021				2137
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/12/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/621,308	OKADA ET AL.	
	Examiner	Art Unit	
	Matthew B. Smithers	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 July 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/18/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

The information disclosure statements filed July 18, 2003 and February 4, 2004 have been placed in the application file and the information referred to therein has been considered as to the merits.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by US 6,785,815 granted to Serret-Avila et al.

Regarding claim 1, Serret-Avila meets the claimed limitations as follows: "A digital watermarking apparatus which inputs predetermined information and embeds digital watermark in the predetermined information, comprising:
a verifying section that inputs and verifies set value information, the set value information being provided by encrypting set values necessary for embedding the digital watermark and adding verification data to the encrypted

set values; a decrypting section that decrypts the encrypted set values in the set value information verified by the verifying section;

and a watermarking section, wherein, when a verification result obtained by the information verifying section is normal, the watermarking section embeds digital watermark in the input predetermined information using the set values decrypted by the decrypting section to output the predetermined information embedded with digital watermark, or when the verification result is not normal, the watermarking section does not output the input predetermined information to the outside of the apparatus or invalidates the input predetermined information to output the invalidated information.” see Abstract; column 6, line 60 to column 7, line 21; column 10, lines 13-30; column 10, lines 42-56; and Figures 1, 2B, 4A, 4B, 5A and 5B.

Regarding claim 2, Serret-Avila meets the claimed limitations as follows: “The digital watermarking apparatus according to claim 1, wherein the verifying section performs verification with digital signature using public key encryption.” see column 10, lines 42-56 and Figure 2B.

Regarding claim 3, Serret-Avila meets the claimed limitations as follows: “An application apparatus comprising a reproducing section that reproduces predetermined information stored in a recording medium and the digital watermarking apparatus according to claim 1 that inputs the predetermined information reproduced by the reproducing section and embeds the digital watermark in the predetermined information, wherein the reproducing section inputs a verification result from the verifying section in the digital watermarking

apparatus, and when the verification result is normal, the reproducing section performs a reproducing operation, or when the verification result is not normal, the reproducing section does not perform the reproducing operation or the digital watermarking apparatus invalidates an output of the reproducing section." see Abstract; column 6, line 60 to column 7, line 21; column 7, line 58 to column 8, line 25; column 10, lines 13-30; column 10, lines 42-56; and Figures 1, 2B, 4A, 4B, 5A and 5B.

Regarding claim 4, Serret-Avila meets the claimed limitations as follows:

"An application apparatus comprising receiving and decoding section that receives predetermined information through a communication medium and decodes the received information, and the digital watermarking apparatus according to claim 1 that inputs the information received and decoded by the receiving and decoding section and embeds the digital watermark in the predetermined information, wherein the receiving and decoding section inputs a verification result from the verifying section in the digital watermarking apparatus, and when the verification result is normal, the receiving and decoding section performs receiving and decoding operations, or when the verification result is not normal, the receiving and decoding section does not perform at least one of receiving operation and decoding operation or the digital watermarking apparatus invalidates an output of the receiving and decoding section." see Abstract; column 6, line 60 to column 7, line 21; column 7, line 58 to column 8, line 25; column 8, line 63 to column 9, line 26; column 10, lines 13-30; column 10, lines 42-56; and Figures 1, 2B, 4A, 4B, 5A and 5B.

Regarding claim 5, Serret-Avila meets the claimed limitations as follows:

“An application apparatus comprising the digital watermarking apparatus according to claim 1 and a recording section that inputs information output from the digital watermarking apparatus and records the information in a recording medium, wherein the recording section receives a verification result from the verification section in the digital watermarking apparatus, and when the verification result is normal, the recording section records the information output from the digital watermarking apparatus, or when the verification result is not normal, the recording section does not perform recording operation or invalidates the information output from the digital watermarking apparatus and then records the invalidated information.” see Abstract; column 6, line 60 to column 7, line 21; column 7, line 58 to column 8, line 25; column 8, line 63 to column 9, line 26; column 10, lines 13-30; column 10, lines 42-56; and Figures 1, 2B, 4A, 4B, 5A and 5B.

Regarding claim 6, Serret-Avila meets the claimed limitations as follows:

“An application apparatus comprising the digital watermarking apparatus according to claim 1 and encoding and transmitting section that encodes information output from the digital watermarking apparatus and transmits the encoded information through a communication medium, wherein the encoding and transmitting section inputs a verification result of the verifying section in the digital watermarking apparatus, and when the verification result is normal, the encoding and transmitting section performs the encoding and transmitting operations or when the verification result is not normal, the encoding and

transmitting section does not perform at least one of the encoding and transmitting operations or invalidates the information output from the digital watermarking apparatus and then performs the encoding and transmitting operations." see Abstract; column 6, line 60 to column 7, line 21; column 7, line 58 to column 8, line 25; column 8, line 63 to column 9, line 26; column 10, lines 13-30; column 10, lines 42-56; and Figures 1, 2B, 4A, 4B, 5A and 5B.

Regarding claim 7, Serret-Avila meets the claimed limitations as follows: "A digital watermarking apparatus which inputs predetermined information and embeds digital watermark in the predetermined information, comprising: a decrypting section that inputs and decrypts set value information, the set value information being provided by adding verification data to set values necessary for embedding the digital watermark and encrypting at least a part of the set values added with the verification data; a verifying section that verifies the set values with the verification data in the set value information decrypted by the decrypting section; and a watermarking section, wherein, when a verification result from the verifying section shows normal, the watermarking section obtains the verified set values from the verifying section, embeds the digital watermark in the input predetermined information using the obtained set values and outputs the predetermined information embedded with the digital watermark, or when the verification result is not normal, the watermarking section does not output the input predetermined information to the outside of the apparatus." see Abstract; column 6, line 60 to column 7, line 21; column 7, line 58 to column 8, line 25;

column 8, line 63 to column 9, line 26; column 10, lines 13-30; column 10, lines 42-56; and Figures 1, 2B, 4A, 4B, 5A and 5B.

Regarding claim 8, Serret-Avila meets the claimed limitations as follows: "The digital watermarking apparatus according to claim 7, wherein the verifying section performs verification with digital signature using public key encryption." see column 10, lines 42-56 and Figure 2B.

Regarding claim 9, Serret-Avila meets the claimed limitations as follows: "An application apparatus comprising a reproducing section that reproduces predetermined information stored in a recording medium and the digital watermarking apparatus according to claim 7 that inputs the predetermined information reproduced by the reproducing section and embeds the digital watermark in the predetermine information, wherein the reproducing section inputs a verification result from the verifying section in the digital watermarking apparatus, and when the verification result is normal, the reproducing section performs a reproducing operation, or when the verification result is not normal, the reproducing section does not perform the reproducing operation or the digital watermarking apparatus invalidates an output of the reproducing section." see Abstract; column 6, line 60 to column 7, line 21; column 7, line 58 to column 8, line 25; column 8, line 63 to column 9, line 26; column 10, lines 13-30; column 10, lines 42-56; and Figures 1, 2B, 4A, 4B, 5A and 5B.

Regarding claim 10, Serret-Avila meets the claimed limitations as follows: "An application apparatus comprising receiving and decoding section that receives predetermined information through a communication medium and

decodes the received information, and the digital watermarking apparatus according to claim 7 that inputs the information received and decoded by the receiving and decoding section and embeds the digital watermark in the predetermined information, wherein the receiving and decoding section inputs a verification result from the verifying section in the digital watermarking apparatus, and when the verification result is normal, the receiving and decoding section performs receiving and decoding operations, or when the verification result is not normal, the receiving and decoding section does not perform at least one of receiving operation and decoding operation or the digital watermarking apparatus invalidates an output of the receiving and decoding section.” see Abstract; column 6, line 60 to column 7, line 21; column 7, line 58 to column 8, line 25; column 8, line 63 to column 9, line 26; column 10, lines 13-30; column 10, lines 42-56; and Figures 1, 2B, 4A, 4B, 5A and 5B.

Regarding claim 11, Serret-Avila meets the claimed limitations as follows: “An application apparatus comprising the digital watermarking apparatus according to claim 7 and a recording section that inputs information output from the digital watermarking apparatus and records the information in a recording medium, wherein the recording section receives a verification result from the verification section in the digital watermarking apparatus, and when the verification result is normal, the recording section records the information output from the digital watermarking apparatus, or when the verification result is not normal, the recording section does not perform recording operation or invalidates the information output from the digital watermarking apparatus and then records

the invalidated information." see Abstract; column 6, line 60 to column 7, line 21; column 7, line 58 to column 8, line 25; column 8, line 63 to column 9, line 26; column 10, lines 13-30; column 10, lines 42-56; and Figures 1, 2B, 4A, 4B, 5A and 5B.

Regarding claim 12, Serret-Avila meets the claimed limitations as follows: "An application apparatus comprising the digital watermarking apparatus according to claim 7 and encoding and transmitting section that encodes information output from the digital watermarking apparatus and transmits the encoded information through a communication medium, wherein the encoding and transmitting section inputs a verification result of the verifying section in the digital watermarking apparatus, and when the verification result is normal, the encoding and transmitting section performs the encoding and transmitting operations or when the verification result is not normal, the encoding and transmitting section does not perform at least one of the encoding and transmitting operations or invalidates the information output from the digital watermarking apparatus and then performs the encoding and transmitting operations." see Abstract; column 6, line 60 to column 7, line 21; column 7, line 58 to column 8, line 25; column 8, line 63 to column 9, line 26; column 10, lines 13-30; column 10, lines 42-56; and Figures 1, 2B, 4A, 4B, 5A and 5B.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Yoshiura et al (US 20050182939) discloses a system for authenticating digital data using watermarks.

B. Vorbruggen et al (US 20050066172) discloses a method for confirming the authenticity of a document using watermarks.

C. Sun et al (US 20040128511) discloses a method for generating signatures for multimedia data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew B. Smithers whose telephone number is (571) 272-3876. The examiner can normally be reached on Monday-Friday (8:00-4:30) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel L. Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Matthew B Smithers
Primary Examiner
Art Unit 2137